

Rec'd PCT/PTC 2 / JAN 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No: 10/540,296
Applicant(s): Miragaya, et al.
Filed: June 21, 2005
Title: Formulations for the Rectal Administration of Thrombolytically-Active agents
TC/A.U.: Unassigned
Examiner: Unassigned
Docket: 976-28 PCT/US
Dated: January 18, 2006

I hereby certify this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

on 1/18/06 Signature Julie R. Watts

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PETITION UNDER 37 C.F.R. 1.47(a)

Sir:

Applicants' representative hereby petitions the Commissioner under 37 C.F.R. 1.47(a) for the acceptance of a declaration/power of attorney for the above-identified application executed by eight of the nine inventors, Maria Acelia Marrero Miragaya, Ana Aguilera Barreto, Lisette Gonzalez Chavez, Eduardo Martinez Diaz, Beatriz Torrez Cabrera, Karelia Cosme Diaz, Luciano Francisco Hernandez Marrero, and Beatriz Tamargo Santos on behalf of their joint inventor, Milesa Yeni Sarmiento Mayea, who has not signed the required declaration.

The non-signing inventor could not be found. The pertinent facts are recounted in the accompanying "Declaration" signed by Dr. Sonia González Blanco, a Legal Representative and Patent Agent for the Assignee of the above-identified application, Centro De Ingenieria Genetica Y Biotecnologia. A summary of the pertinent facts follow.

On August 5, 2005, a letter was sent via certified mail to Milesa Yeni Sarmiento Mayea at her last known address, Josefina 221 Apto. #1 e/ Jorge y Avellaneda, 10 de

Octubre, Havana 10500 Cuba. In the August 5, 2005 letter, Milesa Yeni Sarimento Mayea was requested to appear at the Patents Department of the Genetic Engineering and Biotechnology Center, located at Ave. 31 e/158 and 190, Cubanacan, Playa Havana so that she could sign the declaration/power of attorney for the U.S. national stage application (i.e., the above-identified application) of International PCT/CU03/00020.

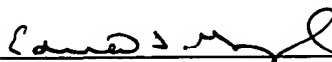
The letter was returned by the Cuban Postal Service on August 15, 2005. The envelope was marked "MARCHO SIN DEJAR DIRRECCIO (PARTI)," which means "Moved, Left No Forwarding Address." A copy of the letter sent to Milesa Yeni Sarmiento Mayea, along with a copy of its envelope marked "MARCHO SIN DEJAR DIRRECCIO (PARTI)," is attached as Exhibit 1. A copy of the translation of the letter and envelope is attached as Exhibit 2.

Applicants have also made a diligent effort to find the non-signing inventor. However, the non-signing inventor, Milesa Yeni Sarmiento Mayea, could not be found. The pertinent facts are also recounted in the Blanco declaration.

On August 31, 2005, Dr. Blanco conducted a search on the internet using the Google™ search engine for the keywords "Milesa Yeni Sarmiento." The search were conducted in English. The search did not locate contact information for Milesa Yeni Sarmiento.

Applicants have made a *bona fide* attempt to reach the non-signing inventor, Milesa Yeni Sarmiento. In view of the foregoing, applicants respectfully request that the petition under 37 C.F.R. 1.47(a) be granted.

Respectfully submitted,



Edna I. Gergel, Ph.D.
Agent for Applicants
Registration No. 50,819

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(516) 822-3550

Ciudad de la Habana, 5 de agosto de 2005.

Lic. Milesa Yeni Sarmiento Mayea
Josefina 221 apto # 1 e/ Jorge y Avellaneda,
10 de Octubre,
Ciudad Habana 10500,
Cuba

Ref: *New patent application in US, National Phase of PCT/CU03/00020, in the name of*
CENTRO DE INGENIERIA GENÉTICA Y BIOTECNOLOGÍA.

**"FORMULATIONS CONTAINING THROMBOLYTIC AGENTS FOR
RECTAL ADMINISTRATION"**

Priority Date: 27/12/2002

International filing date: 22/12/2003

Estimada Lic. Sarmiento:

Por este medio se le cita para que concurra al Departamento de Patentes del Centro de Ingeniería Genética y Biotecnología, sito en Ave 31 e/ 158 y 190, Cubanacán, Playa, Ciudad Habana, con vistas a que firme varios documentos relacionados con la solicitud de patente de la referencia. Los documentos son los siguientes:

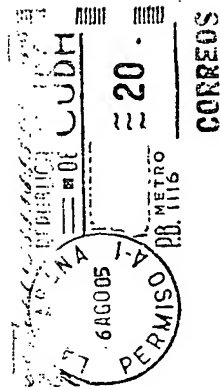
- Combined Declaration and Power of Attorney
- Assignment of Invention

Cordialmente,



Dra Sonia González Blanco
Departamento de Patentes

Departamento de Patentes
Centro de Ingenieros Genéticos
y Biotecnología
Apdo 6162
Ciudad Habana 10600



Lic Milesa Yeni Sarmiento Mayar
Josefin 221 apto #1 e/ Jorge
y Avellaneda,
10 de Octubre
Ciudad Habana 10500
Cuba

DEFENSE CENTER
BOWLING GREEN
DISC
15/8/05
8

XXXXXXXXXX

Havana, August 5, 2005

Ms. Milesa Yeni Sarmiento Mayea, Lic.*
Josefina 221 Apto. #1e / Jorge y Avellaneda
10 de Octubre
Havana 10500
Cuba

Ref: *New patent application in US, National Phase of PCT/CU03/00020, in the name of CENTRO DE INGENIERÍA GENÉTICA Y BIOTECNOLOGÍA.*

“FORMULATIONS CONTAINING THROMBOLYTIC AGENTS FOR RECTAL ADMINISTRATION”

Priority Date: 12/27/2002

International filing date: 12/22/2003

Dear Ms. Sarmiento:

You are hereby summoned to appear at the Patents Department of the Genetic Engineering and Biotechnology Center, located at Ave 31 e / 158 and 190, Cubanacán, Playa, Havana, for the purpose of signing several documents related to the patent application of reference. The documents are the following:

- Combined declaration and Power of Attorney
- Assignment of Invention

Cordially,

[signature]

Dr. Sonia González Blanco
Patents Department

* [Translator's note: Professional title for attorneys, pharmacists, etc.]

RETURNED BECAUSE:

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|------------------------------------|-------------------------------------|
| RESIDENCE CLOSED | <input type="checkbox"/> |
| MOVED, LEFT NO FORWARDING ADDRESS* | <input checked="" type="checkbox"/> |
| NO SUCH NUMBER | <input type="checkbox"/> |
| NOT PRESENT AT TIME OF DELIVERY | <input type="checkbox"/> |
| UNKNOWN* | <input type="checkbox"/> |
| DECEASED* | <input type="checkbox"/> |
| INSUFFICIENT ADDRESS* | <input type="checkbox"/> |
| REFUSED* | <input type="checkbox"/> |

DATE August 15, 2005 SIGNATURE [signature]MAIL CARRIER No. 8

* [Text in parentheses is a French equivalent for the preceding Spanish phrase.]